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# **Sen. Smith files legislation to allow “life in prison without parole”**



**ATLANTA** – State Sen. Preston Smith (R-Rome) filed legislation Saturday to allow district attorneys to seek a “life without parole” sentence without first prosecuting a murder charge as a death penalty case.

Currently, the state must prosecute a felony murder case as a death penalty case or life with parole. In a death penalty case however, the jury may recommend life without parole instead of the death penalty, or the defendant may plea bargain in order to obtain life without parole in exchange for the death penalty.

“This gives our district attorneys more flexibility,” Sen. Smith said after he filed Senate Bill 145. “It allows prosecutors to seek a life without parole sentence against an accused murderer without the expense of a death penalty trial.” Sen. Smith noted that district attorneys still may want to seek the death penalty in particularly gruesome or violent murder cases.

Those receiving a life without parole sentence will not be eligible for any form of parole or early release administered by the State Board of Pardons and Paroles for any earned time, early release, work release, leave or any other sentence reducing programs administered by the Georgia Department of Corrections.

Currently, anyone convicted of a serious violent felony who has received a life in prison sentence must serve at least 30 years.

The legislation has been assigned to the Senate Judiciary Committee.

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*Sen. Preston Smith serves as Chairman of the Judiciary Committee. He represents the 52<sup>nd</sup> Senate District which includes Floyd County and portions of Bartow and Gordon counties. He may be reached by phone at 404.656.0034 or by e-mail at [preston.smith@senate.ga.gov](mailto:preston.smith@senate.ga.gov).*